



DOCKET NO: 205742US6

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HIROYUKI TAKEMOTO, ET AL. : EXAMINER: HINDI, N.Z.
SERIAL NO: 09/833,731 :
FILED: APRIL 13, 2001 : GROUP ART UNIT: 2655
FOR: OPTICAL DISC AND OPTICAL :
DISC DRIVE APPARATUS :

PETITION UNDER 37 C.F.R. §1.181

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

In accordance with 37 C.F.R. §1.181, Applicants respectfully request the Examiner acknowledge consideration of U.S. Patent 5,453,974 cited in the PTO-1449 form filed with the Information Disclosure Statement (IDS) on April 8, 2004. The Examiner acknowledged the two Japanese references as noted on the attached copy of the PTO Form 1449 that accompanied the Notice of Allowance, but inadvertently omitted acknowledging the U.S. Patent 5,453,974.

Accordingly, it is respectfully requested this petition be granted and the consideration of the U.S. reference listed in the IDS filed on April 8, 2004 be acknowledged.

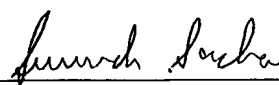
Respectfully submitted,

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Docket No.: 205742US6

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313



ATTORNEYS AT LAW

RE: Application Serial No.: 09/833,731
Applicants: Hiroyuki TAKEMOTO, et al.
Filing Date: April 13, 2001
For: OPTICAL DISC AND OPTICAL DISC DRIVE
APPARATUS
Group Art Unit: 2655
Examiner: HINDI, N.Z.

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 C.F.R. §1.181 (with attached copy of PTO 1449 filed April 8, 2004)

We have not included a check as we do not believe any fee is required. In the event there are any Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Bradley D. Lytle

Registration No. 40,073

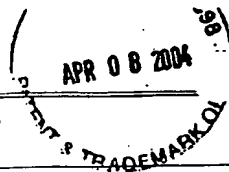
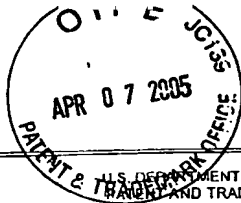
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SHEET 1 OF 1

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 205742US6		SERIAL NO. 09/833,731	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hiroyuki TAKEMOTO, et al.			
				FILING DATE RCE FILED HEREWITH		GROUP 2655	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	5,453,974	09/26/1995	Takeshi MINODA, et al.			
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
NO	AO	04-315823	11/06/1992	JAPAN (w/English Abstract)			
AS	AP	04-301263	10/23/1992	JAPAN (w/English Abstract and Corresponding USP 5,453,974)			
	AQ						
	AR						
	AS						
	AT						
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW						
	AX						
	AY						
	AZ						
Examiner <u>Nabil Hinch</u>					<input type="checkbox"/> Additional References sheet(s) attached		
					Date Considered <u>3/8/05</u>		
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							

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